

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 372

November 19, 1999, 5:02 p.m.
Page S-14986 Temp. Record

WORK INCENTIVES ACT/Conference, Passage

SUBJECT: Conference report to accompany the Ticket to Work and Work Incentives Improvement Act . . . H.R. 1180. Agreeing to the conference report.

ACTION: CONFERENCE REPORT AGREED TO, 95-1

SYNOPSIS: As passed, S. 331, the Ticket to Work and Work Incentives Improvement Act, will expand the availability of health care services for disabled Americans who enter the workforce, and it will create the Ticket to Work and Self Sufficiency Program, which will give beneficiaries access to employment services, vocational rehabilitation services, and other support services from employment networks of their choice. Additionally, the bill will provide \$15.786 billion in net tax relief over the next 5 years and \$18.392 billion in net tax relief over the next 10 years. Details are provided below.

• Ticket to Work and Self-Sufficiency Program. The Social Security Commission will provide each disabled Supplemental Security Income (SSI) and Supplemental Security Disability Income (SSDI) beneficiary with a "ticket" which may be used to obtain employment services, vocational rehabilitation services, and other support services from an employment network (participating provider) of his or her choice. State vocational agencies may elect to remain under the current SSI and SSDI vocational rehabilitation system or participate as an employment network under the new system. State, other public, and private employment networks will be eligible to participate. Employment networks will not charge fees for providing services; instead, they will be paid through the program based on their effectiveness in helping disabled Americans find gainful employment. An employment network will develop with each beneficiary a written individual work plan; each plan will set an employment goal, will state the specific services needed to achieve that goal; each plan will have to be approved in writing by the beneficiary or the beneficiary's representative; each plan will inform individuals of their right to change plans and of other rights they have if they are dissatisfied with the services they receive. An employment network may elect to be paid either under an outcome payment system or an outcome milestone payment system; payments will be based on results (for instance, under the outcome payment system, each month that an employed beneficiary does not receive cash SSDI or SSI benefits the employment network will receive, for no more than 60 months, up to 40 percent of the amount that beneficiary would have received if he or she had remained unemployed).

(See other side)

YEAS (95)				NAYS (1)		NOT VOTING (4)	
Republican (51 or 98%)		Democrats (44 or 100%)		Republicans (1 or 2%)	Democrats (0 or 0%)	Republicans (3)	Democrats (1)
Abraham	Helms	Akaka	Johnson	Voinovich		Gorton- ²	Murray- ⁴
Allard	Hutchinson	Baucus	Kennedy			McCain- ²	
Ashcroft	Hutchison	Bayh	Kerrey			Smith,	
Bennett	Inhofe	Biden	Kerry			Gordon- ^{2AY}	
Bond	Jeffords	Bingaman	Kohl				
Brownback	Kyl	Boxer	Landrieu				
Bunning	Lott	Breaux	Lautenberg				
Burns	Lugar	Bryan	Leahy				
Campbell	Mack	Byrd	Levin				
Chafee, Lincoln	McConnell	Lincoln	Lieberman				
Cochran	Murkowski	Conrad	Lincoln				
Collins	Nickles	Daschle	Mikulski				
Coverdell	Roberts	Dodd	Moynihan				
Craig	Roth	Dorgan	Reed				
Crapo	Santorum	Durbin	Reid				
DeWine	Sessions	Edwards	Robb				
Domenici	Shelby	Feingold	Rockefeller				
Enzi	Smith, Bob	Feinstein	Sarbanes				
Fitzgerald	Snowe	Graham	Schumer				
Frist	Specter	Harkin	Torricelli				
Gramm	Stevens	Hollings	Wellstone				
Grams	Thomas	Inouye	Wyden				
Grassley	Thompson						
Gregg	Thurmond						
Hagel	Warner						
Hatch							

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

- **Elimination of Work Disincentives.** The standard for work-related continuing disability reviews for long-term SSDI cash beneficiaries will be limited to periodic continuing disability reviews (a return to work will not trigger a review). Changes will be made to expedite the reinstatement of cash and health benefits for SSDI and SSI beneficiaries who lose those benefits by gaining employment and then need them restored when they lose employment for medical reasons.

- **Health Care Services.** State options (effective October 1, 2000): States will have the option of eliminating income, asset, and resource limitations for workers with disabilities who wish to buy Medicaid coverage (most States currently link eligibility for Medicaid with eligibility for SSI, which has income, asset, and resource limitations; 11 States have more restrictive requirements); States will have the option of permitting employed individuals with a medically improved disability to buy Medicaid coverage; States will be permitted to require premiums or to impose other cost-sharing charges on a sliding scale for these two new options (they will be permitted to charge the full premium cost for individuals whose incomes are above 250 percent of the Federal poverty level); and Federal funds used to pay for Medicaid coverage under these two new options will have to be used to supplement rather than to supplant State funds that are used for existing State programs to assist disabled individuals in finding work.

- **Other Health Care Services Provisions.** Medicare Part A (hospitalization) coverage will be provided, without a premium charge, for 8.5 years following the enactment of this Act for SSDI beneficiaries who join the workforce (4.5 years longer than under current law). Federal grants will be given to States to design, establish, and operate infrastructures that provide items and services to support working individuals with disabilities. A State demonstration program will be established to provide medical assistance equal to that provided under Medicaid to disabled individuals who are "workers with a potentially severe disability."

- **Miscellaneous.** A community-based work incentives planning and assistance program will be established. Grants will be given to States to provide assistance that is authorized under the Developmental Disabilities Assistance and Bill of Rights Act. Incentives will be given to prisons to report information on prisoners to the Social Security Administration so it can identify and terminate Social Security and SSI benefits that may be going to any prisoners; and clergy who have opted out of Social Security will be given a 2-year "open season" in which to enroll if they so choose. The final rule entitled "Organ Procurement and Transplantation" will not become effective before the expiration of the 90-day period beginning on the date of enactment of this Act.

- **Tax relief provisions** include the following: taxpayers, will be allowed to offset their regular tax liability in full (as opposed to only the amount by which that liability exceeds their tentative minimum tax liability); this provision will be effective through December 31, 2001, for 5-year tax relief of \$2.892 billion; the research tax credit will be extended with modifications through June 30, 2004 for 5-year tax relief of \$10.526 billion; the Generalized System of Preferences will be reauthorized through September 30, 2001 for 5-year tax relief of \$798 million; the tax credit for employer-provided assistance for undergraduate education will be extended through December 31, 2001, for 5-year tax relief of \$584 million; the work opportunity tax credit will be extended through December 31, 2001 for 5-year tax relief of \$1.051 billion; and the welfare-to-work tax credit will be extended through December 31, 2001 for 5-year tax relief of \$272 million.

Those favoring final passage contended:

This bill has two parts. First, it will reform Federal disability programs to help disabled Americans gain employment. Disabled Americans will be able to choose employment assistance programs that serve their needs and those programs will be evaluated based on their results. Additionally, health insurance and disability benefit programs will be reformed to help Americans who enter the workforce keep those benefits. Most people with disabilities who currently receive Federal disability benefits, such as Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI), want to work. However, if disabled individuals try to work and increase their income, they lose their disability cash benefits, and, because their Federal health care benefits are linked to their cash benefits, they lose their health care coverage. The threat of losing these benefits is a powerful disincentive--the unemployment rate among working-age adults with severe disabilities is nearly 75 percent. Today, more than 7.5 million disabled Americans receive cash benefits from SSI and SSDI. Disability benefit spending for SSI and SSDI totals \$73 billion a year, making these disability programs together the fourth largest entitlement expenditure in the Federal Government. If only 1 percent--or 75,000--of the 7.5 million disabled adults were to become employed, Federal savings in disability benefits would total \$3.5 billion over the work-lives of the beneficiaries. Surveys show that more than 75 percent of disabled adults on assistance want to go to work. This bill will help them achieve that goal. The other main part of this bill will extend various expiring or expired tax provisions, including the research and experimentation credit, the employer-provided educational assistance credit for undergraduate courses, and the provision that allows personal tax credits to be taken without regard to the alternative minimum tax. Further, it will reauthorize the Generalized System of Preferences. Over the next 10 years \$18 billion in net tax relief will be provided. We are pleased that there is strong, bipartisan support for both parts of this major bill and expect it to pass by an overwhelming margin.

While favoring passage, some Senators expressed the following reservations:

Conferees should not have added the provision delaying the effective date of the new rule on organ transplants.

No arguments were expressed on opposition to passage.